

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 274

February 10, 2013

**SUMMARY OF BILL:** Requires the courts in certain circumstances to compel an expert witness to appear and give testimony regarding the expert's written statement in support of a healthcare liability action.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- A healthcare liability action cannot be brought unless the plaintiff has a written statement from an expert stating that the plaintiff has a legitimate cause of action.
- If a defendant prevails because the plaintiff does not offer any competent expert testimony, then the defendant may file a motion with the court to compel the plaintiff to produce a copy of the expert's written statement to the defendant. The court shall grant any such motion. Further, the expert shall appear personally and testify under oath as to his qualifications as an expert for the purposes of determining the plaintiff's compliance with certain procedural requirements for healthcare liability actions.
- According to the Administrative Office of the Courts, any impact in the state courts' caseload can be accommodated within existing resources without an increased appropriation or reduced reversion.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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